

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6262

BILL NUMBER: HB 1121

DATE PREPARED: Nov 11, 1998

BILL AMENDED:

SUBJECT: Grandparent visitation.

FISCAL ANALYST: Susan Preble

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**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill expands grandparent visitation rights to allow a grandparent to petition a court for visitation rights with a grandchild regardless of the marital status of the child's parents or whether the child's parents are living. (Current law provides that a grandparent may only petition for grandparent visitation rights with a child if: (1) the child's parent is deceased; (2) the marriage of the child's parents has been dissolved; or (3) the child was born out of wedlock.) It retains the statutory provision that prohibits a paternal grandparent from seeking grandparent visitation rights with a child who is born out of wedlock if the child's father has not established paternity of the child.

Effective Date: Upon passage.

Explanation of State Expenditures:

Explanation of State Revenues: If the number of actions filed by grandparents seeking visitation rights increase, the revenue from filing fees also increases. The civil action filing fee is \$100. If the action is filed in a trial court, 70% is deposited into the state General Fund. If the action is filed in a city or town court, the State General Fund receives 50%.

Explanation of Local Expenditures: Additional civil action filings may increase the caseloads of some trial courts or city or town courts. The county general fund pays the trial courts' operating expenses. The general fund of the city or town in which the court is located pays the expenses of the city and town courts.

Explanation of Local Revenues: If the action is filed in trial court, the county general fund receives 27% of the \$100 filing fee. The other 3% is deposited in the general fund of the cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a circuit, superior, county, or municipal court located in the county. If the action is filed in a city or town court, the county general fund receives 25% and the city or town general fund receives the remaining 25%.

State Agencies Affected:

Local Agencies Affected: Trial courts, city and town courts.

Information Sources: IC 33-19-7